

TAXPAYERS PROTECTION ALLIANCE

February 12, 2020

United States House of Representatives
Washington, DC 20004

Dear Representative,

On behalf of millions of taxpayers and consumers across the United States, the Taxpayers Protection Alliance (TPA) urges you to vote against the Reversing the Youth Tobacco Epidemic Act (H.R. 2339), which would, amongst other things, impose a full ban on the sale of flavored e-cigarette products throughout the U.S. H.R. 2339 would also ban menthol-flavored conventional tobacco. These deeply misguided proposals would lead to the demise of millions of Americans by forcing smokers across the country to continue using deadly combustible cigarettes.

The scientific evidence is overwhelming and incontrovertible that vaping saves lives. Flavors provide an effective exit ramp for adults to quit smoking but have no impact upon teen uptake. Smoking rates are at their lowest in history and dropping dramatically. Furthermore, there is no gateway from vaping to smoking, and menthol cigarettes have no demonstrable impact on youth uptake.

Countless studies conclude that e-cigarettes are a proven and safe way for people to quit smoking. A recent U.S. National Academies of Sciences, Engineering and Medicine report on e-cigarettes [found](#) that, based on the available evidence, “e-cigarettes are likely to be far less harmful than combustible tobacco cigarettes.” The United Kingdom (UK) Government and all major medical bodies now “encourage” smokers to use e-cigarettes as a quit-smoking aid. This is not surprising because of the overwhelming evidence on the effectiveness of a product that is “around [95 percent less harmful than smoking](#),” a figure confirmed by Public Health England (part of the U.K. government) and reaffirmed every year since 2015. Similarly, air quality studies have found that e-cigarettes [pose no threat to bystanders](#) via “passive smoking.” Hundreds of studies have been published in the course of the last few years, measuring everything from cardiovascular health to lung capacity and regeneration. In fact, the only study to have found any negative impact of vaping on heart health has been thoroughly debunked; it was discovered that the heart attacks it claimed were correlated to vaping [happened ten years prior](#) to the individuals taking up vaping.

So powerful is the life-saving potential of these products that, according to the most comprehensive peer-reviewed research on the effects of switching coordinated by the George Washington University Medical Center, [6.6 million lives](#) could be saved over the next ten years if a majority of U.S. smokers quit smoking through the use of e-cigarettes.

In addition, numerous studies have shown that e-cigarettes are considerably more effective than traditional nicotine replacement therapies. In January 2019, the *New England Journal of Medicine* [reported](#) the results of the largest and most comprehensive of these, finding unequivocally that e-cigarettes are nearly twice as effective as conventional nicotine replacement products (such as patches and gum) for quitting smoking.

As a result of the introduction of vaping products, smoking rates in the United States have plummeted in recent years. In 2018, [13.7 percent of U.S. adults smoked, a sharp decline from 20.9 percent in 2005](#). Most of this decline has occurred since the introduction of e-cigarettes, as smokers now have more options than ever to kick their deadly habit. In particular, [5.8 percent of high school students smoke](#), down from more than 15 percent in 2011.

Contrary to anti-vaping arguments, there is no evidence that e-cigarettes provide a “gateway” to smoking for youths as they enter adulthood. This has been demonstrated through numerous studies which instead find that vaporized nicotine has almost exclusively been taken up by smokers attempting to quit or lower their intake, therefore acting as a “gateway” away from tobacco smoking. Only 1 percent of daily users of e-cigarettes were [not previous smokers](#) or tobacco users. A 2015 survey of nonsmoking teens aged 13-17 found interest levels in flavored e-cigarettes of [0.4 out of a possible score of 10](#). An April 2019 study funded by the UK’s National Institute for Health Research and led by Cardiff

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University [concluded](#) that “fears over a resurgence in youth tobacco smoking because of the rise in e-cigarette use are largely unfounded to date” and that there is “no evidence” that e-cigarettes are causing young persons to commence smoking traditional combustible tobacco. In October 2019 the prestigious medical journal [Nicotine and Tobacco Research](#) found that, “E-cigarette use does not appear to be associated with current, continued smoking.” As such, e-cigarettes are a gateway *away* from smoking and give teens who were already smokers a safer alternative.

While flavors may be helping conventional smokers quit smoking, the evidence shows that flavors play little to no role in inducing middle-and-high school students to use e-cigarettes. A 2016 study published in [Tobacco Control](#) used a national phone survey to ascertain teenage usage and interest in e-cigarettes and attempted to gauge the role of flavor in increasing interest in these products. The researchers found that, of teenagers that have never smoked, only 3.3 percent expressed interest in trying e-cigarettes and that there was no evidence for flavors driving e-cigarette uptake. [Fewer than a third of](#) high school students self-report to care about flavors, while academic studies have found that teenage non-smokers’ “willingness to try plain versus flavored varieties did not differ.”

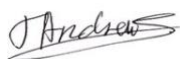
Advocates of greater vaping restrictions continue to ignore the evidence and cite instances of e-cigarettes allegedly inducing lung illnesses. But, as confirmed by the [Centers for Disease Control and Prevention](#) and corroborated by numerous peer-reviewed academic publications such as the [New England Journal of Medicine](#), every case of illness and tragic death has been as a result of illicit, black-market THC vaping devices bought on the streets and laced with substances such as Vitamin E acetone.

There is no evidence whatsoever that menthol cigarettes are in any way more harmful or dangerous than conventional combustible cigarettes. There is similarly no evidence that menthol cigarettes are in any way more likely to be a contributing factor to people taking up smoking. A [recent analysis](#) of data from the National Survey on Drug Use and Health found that states with more menthol cigarette consumption relative to all cigarettes actually have lower rates of child smoking. In addition, econometric analysis consistently shows consistent *nonpredictive* relationships between relative menthol cigarette consumption rates and use of any age group. Youth menthol smoking has already become less popular than non-menthol smoking, and on the current trendline, youth usage of menthol cigarettes will be at a rate of near-zero within the next few years. Curtailing menthol cigarettes will only succeed in damaging already-fraught race relations. More than 80 percent of black smokers [prefer](#) menthol cigarettes, compared to less than 30 percent of white smokers. As the tragic case of Eric Garner shows, tobacco prohibition can easily escalate into deadly encounters with law enforcement. Policymakers must consider racial disparities in the consumption of tobacco products, and refrain from restrictive policies with myriad unintended consequences.

Illicit tobacco is [lucrative source of funding for terrorism](#), with the U.S. State Department having described international tobacco smuggling as a “[threat to national security](#).” Their report detailed how “we know that 15 of the world’s leading terrorist groups regularly rely on illicit cigarettes for funding, including al Qaeda, the Taliban, Hezbollah, and Hamas. Illicit cigarettes are [now second only to the heroin trade](#) in helping fund some of the Taliban militias.”

TPA urges you to carefully examine the facts and science attesting to e-cigarettes’ efficacy as a powerful quit-smoking aid and reject this grossly irresponsible bill.

Regards,



Tim Andrews
Executive Director